

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	Confirmation No.: 3332
Kouchi NOGUCHI	)	Examiner: HENKEL, Danielle B.
Serial No: 10/572,747	)	Group Art Unit: 1797
Filed: March 21, 2006	)	
For: SOLUTION TEMPERATURE CONTROL	)	
DEVICE IN CELL OBSERVATION	)	
CHAMBER	)	

**STATEMENT OF THE SUBSTANCE OF INTERVIEW OF JANUARY 4, 2011**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is in response to the "Interview Summary" dated January 4, 2011.

A personal interview with Examiners Danielle Henkel and Michael Marcheschi was conducted on January 4, 2011 and the undersigned attorney.

**1. Brief Description of any exhibit shown or demonstration conducted**

None.

**2. Identification of claims discussed**

All pending claims were discussed.

**3. Identification of specific prior art discussed**

All applied prior art, i.e., Kanegasaki and Kitagawa, with emphasis on Kitagawa.

**4. Identification of the principal proposed amendments of a substantive nature**

None. The claims as amended in the response filed December 15, 2010 were discussed. The Examiners suggested further amendment of the claims to recite additional structure including a by-pass of the "changeover switch," although no specific additional language was proposed or discussed.

**5. A brief identification of the general thrust of the principal arguments presented to the**

Examiner

Neither Kanegasaki nor Kitagawa, alone or in combination, has the capability for, subsequent to preheating, receiving inputs from different sensors, to simultaneously (1) directly measure the temperature of the solution(s) and to control the heating section in accordance with that directly measured solution temperature in the observation cell heating section (the second controller, using the second temperature sensor) and (2) directly measure the temperature of the heating section and prevent overheating of the heating section in accordance with that directly measured heating section temperature.

6. A general indication of any other pertinent matters discussed

None

7. The general results or outcome of the interview.

It was agreed that the undersigned would submit a supplemental amendment further amending the claims to recite more structure.

Respectfully submitted,  
Bacon & Thomas, PLLC

/George A. Loud/

George A. Loud  
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Dated: January 25, 2011

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# Interview Summary

Application No.	Applicant(s)	
10/572,747	NOGUCHI ET AL.	
Examiner	Art Unit	
DANIELLE HENKEL	1775	

All participants (applicant, applicant's representative, PTO personnel):

- (1) DANIELLE HENKEL. (3) George Loud.  
(2) Michael Marcheschi. (4) \_\_\_\_\_.

Date of Interview: 04 January 2011.

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: all.


Identification of prior art discussed: all applied.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative presented arguments regarding the differences between the applied art and the invention. Examiner discussed possible amendments to overcome prior art by including more structural differences. Attorney will file supplemental amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
/Michael A. Marcheschi/  
Supervisory Patent Examiner, Art Unit 1775